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Harris  
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### REMARKS

Reconsideration of the above-referenced application is respectfully requested in view of the above amendments and these remarks. Claims 1-29 are currently pending.

It is stated that the Title of the Invention is not descriptive and is therefore objected to. In accordance with the helpful suggestion made by the Examiner, Applicant has replaced the title to more accurately describe the invention. It is respectfully requested that the objection be withdrawn.

Claims 27 and 28 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,804,542 to Haartsen et al. Applicant has carefully reviewed the rejection and the Response to Arguments section of the Office Action. Applicant has amended claim 27 to further define the rejection. In particular, Applicant has amended the claims to indicate the differences between the modes of operation. The first mode of operation is an active mode of operation where the mobile station uses an allocated communications channel within the wireless communication network. Thus, the mobile station has at least a bearer channel and common channel which are active between the mobile station and the wireless communication system. The third mode of operation is a dormant mode, otherwise called a sleep mode, of operation where the mobile station is without an allocated communications channel. In the third mode, the mobile station can wake up to determine if signals are being sent in a manner that is known by those of skill in the art. The second mode of operation is a semi-dormant mode of operation where mobile station maintains at least a portion of an allocated channel. No new matter is entered by way of this amendment. See paragraph [0004]-[0006] and [0021]-[0027].

In the Response to Arguments section of the Office Action, the position is taken that Haartsen discloses three modes of operation, e.g active mode, sleep mode with one time between scans and a second sleep mode with a second time between scans. Applicant respectfully traverses this interpretation of the reference, and particularly in light of the amended claim 27, to mean that there are three modes of operation. Haartsen discloses two modes of operation, an active mode and a sleep mode. The timing between periodic scans in the sleep mode is increased. Haartsen relates to the increasing the time between which the radio receiver scans a channel to determine if it is receiving a signal

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from the system on basis of whether it has received a signal in the sleep mode. Thus, at a first instance of time, Tidle 1, Haartsen increases the time between scans if no signal is received, and Haartsen increases the time between scans again if the no data is received at a second instance of time, Tidle 2, if no signal is received. Nonetheless, the mode of operation, i.e. sleep mode is the same regardless of the time between scans. As stated in claim 27, the mode of operation changes between two modes of operation where there are three distinct modes of operation each having different channel allocations. The specific different modes are not disclosed by Haartsen.

In view of the foregoing, Applicant respectfully submits that Haartsen does not disclose the subject matter as expressed in claim 27. Haartsen does not disclose the three different modes of operation as stated in the claim. Applicant therefore respectfully submits that claim 27 is not anticipated by Haartsen. As claims 28-29 depend on claim 27, it is respectfully submitted that these claims are not anticipated for the reasons given above. Applicant requests that the rejection under Section 102(e).

Claims 1-26 and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haartsen in view of United States Patent No. 5,301,225 to Suzuki et al., and claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haartsen in view of Suzuki and further in view of United States Patent Application Publication No. 2003/0,114,159 to Park et al. Applicant has amended independent claims 1 and 20 to more accurately define the invention and respectfully traverses the rejections. In particular, claims 1 and 20 are amended to clarify the mobility identifier to be an identifier regarding the rate of movement within the wireless communication system. No new matter is added by this amendment. See paragraphs [0029]-[0030]. Claims 1 is also amended to more definitely define the first, second and third modes of operation to be consistent with claim 27. Thus, Applicant respectfully submits that the arguments made above with respect to the differences between the present invention and Haartsen apply to claim 1.

Suzuki is cited as disclosing an "indicator of relative mobility regarding the wireless mobile station." Applicant respectfully traverses this interpretation of Suzuki especially in light of the amendment to claims 1 and 20. The sections cited to in Suzuki, col. 6, lines 34-37 and 49-55, disclose the use of location registration information

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regarding a mobile station. Location registration information informs a wireless communication system of the location of a mobile station is within the system. There is no suggestion within Suzuki to use this location registration information as a relative indicia of the movement within system. The distinction between Suzuki's location registration information and the claimed indicator of relative mobility is seen by the phrases "relative mobility" and the "rate of movement within the wireless communication system." The phrase "relative mobility" indicates the importance of relativity of the mobility, e.g. change in the mobility of the mobile station. Moreover, the phrase the "rate of movement within the wireless communication system" indicates how the mobile station moves through the system. These qualities of the indicia are not found or suggested in Suzuki or by its location registration information. Moreover, the location registration information of Suzuki does not have any bearing on the length of time that a wireless mobile station remains in either the active mode or sleep mode, which are the only two modes disclosed by the reference. The location registration information therefore has no connection to the relative time a mobile station is in one of the three modes of operation.

In view of the foregoing, Applicant respectfully submits that the combination of Haartsen and Suzuki does not disclose, teach or otherwise suggest the invention as expressed in claims 1 and 20. The combination of cited references does not make obvious that the use of the three modes of operation and the at least one indicia of relative mobility and how the indicia adjusts the inactivity temporal window for the period of time the mobile station is in a mode of operation. Applicant therefore respectfully submits the claims 1 and 20 are not obvious in view of Haartsen and Suzuki. As claims 2-19 depend upon claim 1, claims 21-26 depend upon claim 20 and claims 28-29 depend on claim 27, it is respectfully submitted that these claims are not anticipated and are not obvious for the reasons given above. In addition, Park also does not disclose teach or otherwise suggest the claimed three modes of operation and the claimed indicia of mobility that is relative and is directed to the movement of the mobile station within the wireless communication system. Therefore, Applicant requests that the rejections under Section 103(a) be withdrawn.

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As the Applicant has overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicant respectfully solicits allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,  
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